

AMENDMENTS TO THE CLAIMS

This listing replaces all prior versions and listings of claims in the application.

1-15. (Canceled)

16. (Currently Amended) A herpes simplex virus with a genome that comprises (i) an expressible non-herpes simplex virus nucleotide sequence encoding a desired protein and (ii) an alteration, ~~relative to wild type,~~ in the γ 34.5 gene.

17. (Currently Amended) The herpes simplex virus of claim 16, wherein both copies of said γ 34.5 gene are altered, ~~relative to wild type.~~

18. (Currently Amended) The herpes simplex virus of claim 16, further comprising at least one further gene alteration, ~~relative to wild type.~~

19. (Previously Presented) The herpes simplex virus of claim 18, wherein said at least one further gene alteration is in the ribonucleotide reductase gene.

20. (Previously Presented) The herpes simplex virus of claim 16, wherein said herpes simplex virus is G207.

21. (Previously Presented) The herpes simplex virus of claim 16, wherein said protein is a cytokine.

22.-24. (Canceled)

25. (Currently Amended) The herpes simplex virus of claim [[24]] 28, wherein said tumor cell-specific promoter is nestin promoter.

26. (Currently Amended) The herpes simplex virus of claim [[24]] 28, wherein said tumor cell-specific promoter is basic fibroblast growth factor promoter.

27. (Currently Amended) The herpes simplex virus of claim [[24]] 28, wherein said tumor cell-specific promoter is epidermal growth factor promoter.

28. (Previously Presented) The herpes simplex virus of claim 16, wherein an essential viral gene product of said virus is under the control of a tumor cell-specific promoter rather than its own viral promoter.

29. (Previously Presented) A composition comprising the herpes simplex virus of claim 16 and a pharmaceutically acceptable vehicle for said virus.